

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

May 20, 1971

10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Butler presiding.

Roll call:

Present: Councilmen Dryden, Nichols, Love, Lebermann, Friedman,
Handcox, Mayor Butler

Absent: None

The Invocation was delivered by REVEREND WILLIAM C. HOWLAND, JR.,
University Christian Church.

PROCLAMATION

MAYOR BUTLER read the proclamation designating the month of May as "Mental Health Month", urging all citizens to become aware of the problems solved with mental health activities and to support all efforts to improve each program. The Proclamation was received by Mrs. M. J. Anderson, President of the Mental Health Association, and Frank Denius, Chairman of the Mental Health Special Gifts Committee. Members of the Committee were introduced.

PUBLIC HEARING SET TO CONSIDER ANNEXATION

The Council had before it the scheduling of a public hearing to consider annexation. In reply to Councilman Nichols' inquiry, the Director of Public Works, Mr. Reuben Rountree, reported there were approximately 60 acres in the area being surrounded by City property. One owner did not want to be annexed, and the other could not be contacted. Councilman Nichols moved the Council adopt a Resolution setting a public hearing at 2:00 P.M. on June 3, 1971, amending it to include the extra acreage, on the following:

36.08 acres of land out of the Theodore Bissel Survey - proposed Cherry Creek, Phase II, Section Four; The Village, Section One; The Village, Section Two; The Village, Section Three; to include the additional 60 acres more or less in the resolution. (99.9 acres)

The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,
Mayor Butler
Noes: None

STREET NAME CHANGE

Councilman Dryden moved the Council adopt a resolution approving street name change as follows:

Northeast Cove to CHIMNEY HILL CIRCLE

The motion, seconded by Councilman Love, carried by the following vote:
Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,
Mayor Butler
Noes: None

EASEMENT RELEASE

Councilman Nichols moved the Council adopt a resolution authorizing the release of two 10' x 40' electrical down-guy easements out of McCarty Triangle. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,
Mayor Butler
Noes: None

EMINENT DOMAIN PROCEEDINGS

After discussing the procedures of taking the average of appraisals, and not being able to negotiate, Councilman Nichols moved the Council adopt a resolution authorizing eminent domain proceedings on the purchase for MoPac Boulevard for property as follows:

1709-1711 Westover

The motion, seconded by Councilman Dryden, carried by the following vote:
Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,
Mayor Butler
Noes: None

CONTRACTS AWARDED

Councilman Nichols moved the Council adopt a resolution awarding the following contract:

ED H. PAGE - For sidewalks for seven schools (safe school routes), 1971, Phase I, Contract No. 71-X-111 \$103,077.00. (Capital Improvement Project; Engineer's estimate - \$111,670.00)

The Director of Public Works reported there were 20 miles of

sidewalks last year and there will be about 10 or 12 miles this time.

The motion, seconded by Councilman Love, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,
Mayor Butler

Noes: None

Councilman Handcox moved the Council adopt a resolution awarding the following contract:

LONGHORN WIPING - For 51,325 pounds of wiping rags -
MATERIALS COMPANY \$12,420.65.

In answer to a question posed by Councilman Nichols about receiving only one bid, the City Manager, Mr. Andrews, listed six companies to which invitations to bid had been sent, but bids were received only from Longhorn Wiping Materials Co. and Lone Star Paper Company.

The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedmann, Handcox,
Mayor Butler

Noes: None

Councilman Nichols moved the Council adopt a resolution awarding the following contract:

LONE STAR PAPER - For 1,038 bundles of industrial towels -
COMPANY \$1,529.84.

The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,
Mayor Butler

Noes: None

Councilman Handcox moved the Council adopt a resolution awarding the following contracts:

DAVIS TRUCK AND - Seven (7) each Refuse Collection
EQUIPMENT Bodies - \$41,125.00

Mr. Rogers, Fleet Administrator, stated the size of these trucks had been increased from 16 cu. yards to 20 cu. yards. This larger truck will save one trip per day to the land fill.

INTERNATIONAL HARVESTER - Seven (7) each Truck Cab and Chassis -
\$62,776.91.

Five of these are replacements and two are budgeted items.

The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,
Mayor Butler

Noes: None

Councilman Love moved the Council adopt a resolution awarding the following contracts:

ITE IMPERIAL - Two (2) 69 KV, 2000 Amp, 5,000 MVA
Oil Circuit Breakers - \$42,340.00.

R. L. Hancock explained the purpose of these breakers,
proposed for operation in 1972.

McGRAW-EDISON - Two (2) 138 KV, 2000 Amp, 10,000 MVA
Oil Circuit Breakers - \$58,100.00

The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,
Mayor Butler

Noes: None

Councilman Dryden moved the Council adopt a resolution awarding the following contract:

BIRD MACHINE COMPANY - Three (3) Centrifuges for Water and
Waste Water Treatment Division -
\$115,185.00.

Mr. Vic Schmidt, Director of Water and Waste Water, explained
the use of these centrifuges was to reduce the sludge to a
volume where it can be transported to land fills. There is,
he reported, an application for a 30% grant that has been
filed.

The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,
Mayor Butler

Noes: None

Councilman Friedman moved the Council adopt a resolution awarding the following contract:

FORD-WEHMEYER COMPANY - For the installation of approximately
686 linear feet of 8-inch sewer pipe and
appurtenances - North Lamar Boulevard -
south from Little Walnut Creek - \$10,931.90
(City's estimate - \$10,713.00; 25 working
days for completion; Capital Improvement
Program)

Councilman Nichols asked where the school site east of Bluestein

Boulevard would be served with sewer. The Director of Water and Waste Water stated because of the drainage, the school site would be served out of Big Walnut Valley, and the Capital Improvements Program for 71 calls for the construction of a line up to Decker Lake Road on Big Walnut. A subdivision intervening would permit the line on up to the school site. The City Manager gave a report on the sewer line at Decker Lake site, stating it was in good shape, and a portion of that line is being used, to handle the sewage from the Plant itself. Sewage is being pumped out rather than building a plant at this time. The usage of the line would depend on development of the property of Decker Lake, either by the City or by commercial enterprise. No Master Plan of that area has been concluded, and it will take some discussion by the Council to establish a policy. Councilman Nichols wanted to have discussions on this, as the line should be utilized.

The motion, seconded by Councilman Dryden, carried by the following vote:
Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,
Mayor Butler
Noes: None

Councilman Friedman moved the Council adopt a resolution awarding the following contract:

CHEM-WEED COMPANY - For weed control work at City of Austin Electric Substation Sites - \$3,193.07. (30 calendar days for completion time)

The motion, seconded by Councilman Dryden, carried by the following vote:
Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,
Mayor Butler
Noes: None

Councilman Dryden moved the Council adopt a resolution awarding the following contract:

JOE SYRING CONSTRUCTION COMPANY - For the construction of Freight and Cargo Building to be located at Robert Mueller Municipal Airport, including metal fence and masonry planters - \$63,620.00. (Architect's estimate - \$65,000.00; 120 days for completion - Capital Improvements Program)

The Director of Aviation, Mr. Vance Murphy, stated this construction was necessary in the expansion of the area to relieve congestion of cargo and freight. The building would amortize itself in less than ten years, at 1% of the cost - \$63,000 or \$630 per month.

The motion, seconded by Councilman Nichols, carried by the following vote:
Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,
Mayor Butler
Noes: None

Councilman Lebermann moved the Council adopt a resolution awarding the following contracts:

DEPENDABLE MOTORS - Five (5) each Window Vans - \$14,933.00.
P. K. WILLIAMS MOTORS - Twenty (20) each Automobiles - \$57,748.40.

The motion, seconded by Councilman Dryden, carried by the following vote:
Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,
Mayor Butler
Noes: None

ENGINEER SERVICES -
TESTING SERVICES FOR CONSTRUCTION OF
FREIGHT AND CARGO BUILDING

After a discussion with Mr. Al Eldridge, Director of Construction Engineering, Councilman Love moved the firm of FRANK BRYANT AND ASSOCIATES be selected. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,
Mayor Butler
Noes: None

AGREEMENT BETWEEN CITY OF AUSTIN
AND COMMUNITY DEVELOPMENT CORPORATION OF AUSTIN

This item was deferred until 2:00 P.M., pending the Community Development Board's acceptance of the resignation of Councilman Love from membership. At 2:00 P.M., Mayor Butler inquired if all details were in order in connection with formal action of Councilman Love's resignation from the Board of the Community Development Corporation. The City Attorney stated Mr. Love's letter of resignation, and a copy from the Minutes of the Organization indicating the letter was accepted were matters of record.

Councilman Dryden moved the Council adopt a resolution authorizing an agreement between the City of Austin and the Community Development Corporation of Austin for the operation of the Housing Rehabilitation Project, at a total cost of \$200,431.00. (100% Model Cities funds) The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,
Mayor Butler
Noes: None

AGREEMENT BETWEEN MODEL CITIES DEPARTMENT AND
POLICE DEPARTMENT - OPERATION OF A POLICE-COMMUNITY
RELATIONS PROJECT

MR. HOMER REED, Executive Administrator, asked MR. TONY OJEDA, Executive Director Model Cities, to present this item. Mr. Ojeda stated the Police Community Relations Program is an approved program of Model Cities, and this project will be operated in conjunction with a grant from Criminal Justice Council, matched by Model Cities money. The intent is to improve police - community relations in the Model City area. He elaborated on the program, describing the two store-fronts located in the area, and the Program Information Section. This program involves people in various activities, making them aware of the police in an effort to improve the relations between the Police Department and the minority residents. The Chief of Police, Mr. Bob Miles, endorsed this program, stating the police man power was selected and there will be ten police aides recruited from this area. Mr. Ojeda discussed the expansion of the project in the second year program, as there is no expansion this year above the present grant. After discussion among themselves, Councilman Friedman moved the Council adopt a resolution accepting this program. The motion, by Councilman Love, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,
Mayor Butler
Noes: None

BUILDING LEASE AT 6TH AND COMAL
FOR MODEL CITIES SERVICE AGENCIES

MR. HOMER REED explained this building was 14,400 square feet in size, and would provide space for the Man Power Team Service Project, the Rodent Control Service, Family Out-Patient Clinic, Housing Rehabilitation Project, and a Major Out-Patient Service Center to be operated by the Mental Health-Mental Retardation Agency, dealing with mental health problems and drug abuse problems. In answer to Mayor Butler's inquiry, Mr. Reed outlined the method of charging the tenants -- all paying their share of the square footage basis of the construction costs, and on a square footage basis on a pro rata basis on rest rooms and lobby areas. This is paid out of the Model Cities' first year budget, and includes air conditioning and parking.

At this point Mayor Butler noted that other governmental agencies make payments on leases in arrears rather than in advance, and he suggested that the City might effect an economy. If this money were left in Certificates of Deposit for one month, it might generate some revenue. He suggested that perhaps this provision could be included in the bids.

Councilman Love moved the City Manager be authorized to sign a lease with Mr. Len C. Dure for a building containing 15,000 square feet at 6th and Comal, for Model City Service Agencies. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,
Mayor Butler
Noes: None

APPLICATION FOR FEDERAL FUNDS TO DEVELOP
METZ, PAN AMERICAN, AND ZARAGOSA PARKS

MR. HOMER REED, Executive Administrator, stated this application was for another Model Cities program. He pointed out locations of the parks in relation to the Model Cities area, and stated the bulk of funds would be spent on Metz and Zaragosa which serve a major population group within the Model Cities area. These parks will be renovated entirely, but they will not be complete recreation centers. Councilman Dryden moved the Council adopt a resolution authorizing the City Manager to file an application for Federal Funds through the State Department of Parks and Wildlife to provide development of Metz, Pan Am, and Zaragos Parks, in the amount of \$114,000 with an equal amount of matching funds provided through the Model Cities Program. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,
Mayor Butler
Noes: None

LEASE OF TWIN OAKS BRANCH LIBRARY

The City Manager, Mr. Andrews, introduced Mr. David Earl Holt, Librarian, both recommending this lease for the Twin Oaks Branch Library, at \$100 per month. Councilman Dryden moved the Council adopt a resolution authorizing the lease agreement for 1,200 square feet for the operation of Twin Oaks Branch Libzary in Twin Oaks Shopping Center, at \$100.00 per month. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,
Mayor Butler
Noes: None

RENTAL AGREEMENT BETWEEN URBAN RENEWAL AGENCY
AND AUSTIN-TRAVIS COUNTY HEALTH DEPT.

Councilman Handcox moved the Council adopt a resolution authorizing a rental agreement between the Urban Renewal Agency and the Austin - Travis County Health Department for property at 1608 Red River at a cost of \$201.15 per month. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,
Mayor Butler
Noes: None

SALE OF BONDS

MAYOR BUTLER stated it was almost time to receive bids on the City of Austin Revenue Bonds and on the City General Obligation Bonds. He announced the accuracy of the hour as having been checked with Western Union. He then verified that there were no other bids' having been received in the mailing

room, the City Manager's Office, or by the Finance Director or by the City Clerk's Office. The Mayor announced it was 10:30 A.M. CDT, and the time for receiving bids was closed.

\$6,500,000 Electric, Water and Sewer Revenue Bonds

Bids on the \$6,500,000 Electric, Water and Sewer Revenue Bonds were opened and read by the Finance Director, Mr. Norman Barker, as follows:

<u>BIDDER</u>	<u>EFFECTIVE INTEREST RATE</u>
1. HALSEY, STUART & CO., INC., SMITH, BARNEY & CO., INC., AND ASSOC.	5.2242
2. LEHMAN BROTHERS INC., KUHN LOEB & CO., FIRST SOUTHWEST COMPANY, SHIELDS & CO., STONE & WEBSTER SEC. CORP. HORNBLOWER & WEEKS- HEMPHILL, NOYES AND ASSOCIATES	5.256144
3. THE FIRST BOSTON CORP., EASTMAN DILLON, UNION SECURITIES, & CO., WHITE, WELD & CO., BEAR, STEARNS & CO. ROWLES, WINSTON & CO., INC. AND ASSOCIATES	5.2619
4. PHELPS, FENN & CO. AND ASSOCIATES	5.31202
5. DILLON, REED MUNICIPALS INC., AND JOHN NUEVEEN & CO., INC.	5.3478
6. WEEDEN & CO. AND SALOMON BROTHERS	5.403405

\$6,600,000 General Obligation Bonds

1. THE CHASE MANHATTAN BANK N.A. FIRST NATIONAL BANK IN DALLAS, BANK OF AMERICA N.T. & S.A. ASSOCIATES	5.3076
2. HALSEY, STUART & CO., INC., SMITH, BARNEY & CO., INC. AND ASSOCIATES	5.3241
3. LEHMAN BROTHERS INCORPORATED, KUHN LOEB & CO., FIRST SOUTHWEST COMPANY, SHIELDS & COMPANY, STONE & WEBSTER SECURITIES CORP. HORNBLOWER & WEEKS-HEMPHILL, NOYES AND ASSOC.	5.333247
4. HARRIS TRUST AND SAVINGS BANK, CHICAGO AND ASSOCIATES	5.3466
5. PHELPS, FENN & CO. AND ASSOCIATES	5.3554
6. MORGAN GUARANTY TRUST CO. OF N.Y. THE PHILADELPHIA NATIONAL BANK	5.3574
7. THE FIRST BOSTON CORPORATION, THE FIRST NATIONAL BANK OF CHICAGO AND ASSOCIATES	5.3600

- | | |
|--|----------|
| 8. BANKERS TRUST COMPANY, NEW YORK | 5.4108 |
| 9. FIRST NATIONAL CITY BANK, FIRST SOUTHWEST COMPANY, MERCANTILE NATIONAL BANK OF DALLAS, AND ASSOCIATES | 5.4123 |
| 10. CHEMICAL BANK | 5.431947 |
| 11. WEEDEN & CO. AND SALOMON BROTHERS | 5.460726 |

The bids were referred to the Finance Director and Fiscal Advisor for verification.

Later in the meeting, the City Manager stated the Finance Director and Fiscal Advisor were ready to report on the bids received. The Finance Director stated both of the apparent low bids on the Utility Bonds and on the General Obligation Bonds were checked here in Austin and on computers in Dallas and were found to be correct.

The Finance Director announced on the \$6,500,000.00 Revenue Bonds, that the bid of HALSEY, STUART & CO., INC., SMITH, BARNEY & CO., INC., AND ASSOC. in the amount of \$4,357,908.33 with an effective interest rate of 5.2242 had been verified as correct, is the low bid, and acceptance of this bid is recommended.

On the General Obligation Bonds, the bid of THE CHASE MANHATTAN BANK N.A. FIRST NATIONAL BANK IN DALLAS, BANK OF AMERICA N.T. & S.A. ASSOCIATES, in the amount of \$4,790,137.50 with an effective interest rate of 5.3076 is correct, is the lowest bid, and the acceptance of this bid is recommended.

Acceptance of Bids

Councilman Nichols moved the Council accept the bid of HALSEY, STUART & CO., INC., SMITH, BARNEY & CO., INC., AND ASSOCIATES offering an effective interest rate of 5.2242 on the \$6,500,000 Electric, Water and Sewer Revenue Bonds, and accept the bid of THE CHASE MANHATTAN BANK N.A. FIRST NATIONAL BANK IN DALLAS, BANK OF AMERICA N.T. & S.A. AND ASSOCIATES, offering an effective interest rate of 5.3076 on the \$6,600,000 General Obligation Bonds. The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,
Mayor Butler
Noes: None

Mr. Claud Boothman, Bond Counsel, noted these were very fine bids as far as the market is concerned.

MR. CURTIS ADRIAN, Fiscal Advisor, reviewed the municipal bond market from January 1968 where the rate began at 4.25 interest level, and moved upward to 7.12 in 1970. A decline took place during the year, and today the Dow Jones Average is 5.98. The point of interest was the Revenue Bonds sold at .76 under the Dow Jones average, meaning the Revenue Bonds, in calculating the interest sold at \$633,992 under the interest rate that would have been paid

had the bonds sold at the Dow Jones average of 5.98. The General Obligation bonds sold at .67 under the Dow Jones average. This effects an interest savings of \$604,675, or a total savings of \$1,037,000 over the Dow Jones average. He congratulated the City of Austin on these bids, and noted the Austin bonds were always well received in the market, among the best.

MINUTES PERTAINING TO PASSAGE AND ADOPTION OF
 ORDINANCE AUTHORIZING ISSUANCE OF \$6,500,000
 "CITY OF AUSTIN, TEXAS, ELECTRIC LIGHT AND
 POWER, WATERWORKS AND SEWER SYSTEM REVENUE
 BONDS, SERIES NO. 22, "DATED JUNE 1, 1971

THE STATE OF TEXAS }

COUNTY OF TRAVIS }

CITY OF AUSTIN }

ON THIS, the 20th day of May, 1971, the City Council of the City of Austin Texas, convened in regular session at the regular meeting place thereof in the City Hall, the meeting being open to the public and notice of said meeting, giving the date, place and subject thereof, having been posted as prescribed by Article 6252-17, Section 3A, V.A.T.C.S., with the following members present and in attendance, to wit:

ROY BUTLER)	MAYOR
DR. S. H. "BUD" DRYDEN))
DICK NICHOLS))
DAN LOVE)	COUNCILMEN
LOWELL H. LEBERMANN))
JEFFREY M. FRIEDMAN))
BERL L. HANDCOX))

and with the following absent: None
 constituting a quorum; at which time the following among other business was transacted:

The Mayor presented for the City Council's consideration an ordinance authorizing the issuance of \$6,500,000 "CITY OF AUSTIN, TEXAS, ELECTRIC LIGHT AND POWER, WATERWORKS AND SEWER SYSTEM REVENUE BONDS, SERIES NO. 22," dated June 1, 1971, the caption of said ordinance being as follows:

"AN ORDINANCE by the City Council of the City of Austin, Texas, authorizing the issuance of \$6,500,000 'CITY OF AUSTIN, TEXAS, ELECTRIC LIGHT AND POWER, WATERWORKS AND SEWER SYSTEM REVENUE BONDS, SERIES NO. 22,' dated June 1, 1971, of which the sum of \$2,500,000 is for the purpose of extending and improving the City's Electric Light and Power System, the sum of \$1,000,000 is for the purpose of extending and improving the City's Waterworks System, and the sum of \$3,000,000 is for the purpose of extending and improving the City's Sewer System (being the third parcel or installment of a total voted authorization of \$26,000,000 for Electric Light and Power System purposes, the first

parcel or installment of a total voted authorization of \$7,000,000 for Waterworks System purposes, and the fourth parcel or installment of a total voted authorization of \$7,700,000 for Sewer System purposes), as authorized by the General Laws of the State of Texas, particularly Article llll et seq., V.A.T.C.S.; prescribing the form of the bonds and the form of the interest coupons; pledging the net revenues of the City's combined Electric Light and Power, Waterworks and Sewer System to the payment of the principal of and interest on said bonds; enacting provisions incident and relating to the subject and purpose of this ordinance; and declaring an emergency."

The ordinance was read and Councilman Dryden moved that the rule be suspended which requires that no ordinance shall become effective until the expiration of ten days following the date of its final passage, that such ordinance be finally passed and adopted at this meeting and that, for the reasons recited therein, said ordinance be passed as an emergency measure for the immediate preservation of the public peace, health, and safety of the citizens of Austin as permitted by the City Charter. The motion was seconded by Councilman Nichols and carried by the following vote:

AYES: Mayor Butler and Councilmen Dryden, Nichols, Love, Lebermann, Friedman and Handcox.

NOES: None

The ordinance was read the second time and Councilman Dryden moved that the rules be further suspended and that the ordinance be passed as an emergency measure to its third reading. The motion was seconded by Councilman Nichols and carried by the following vote:

AYES: Mayor Butler and Councilmen Dryden, Nichols, Love, Lebermann, Friedman and Handcox.

NOES: None.

The ordinance was read the third time and Councilman Dryden moved that the ordinance be finally passed as an emergency measure. The motion was seconded by Councilman Nichols and carried by the following vote:

AYES: Mayor Butler and Councilmen Dryden, Nichols, Love, Lebermann, Friedman and Handcox.

NOES: None

The Mayor then announced that the ordinance had been finally passed and adopted.

MINUTES APPROVED, this the 20th day of May, 1971.

MINUTES PERTAINING TO PASSAGE AND ADOPTION OF
ORDINANCE AUTHORIZING ISSUANCE OF \$6,600,000
"CITY OF AUSTIN, TEXAS, GENERAL OBLIGATION BONDS
SERIES 1971 (NO. 252)," DATED JUNE 1, 1971

THE STATE OF TEXAS X

COUNTY OF TRAVIS X

CITY OF AUSTIN X

ON THIS, the 20th day of May, 1971, the City Council of the City of Austin, Texas, convened in regular session at the regular meeting place thereof in the City Hall, the meeting being open to the public and notice of said meeting, giving the date, place and subject thereof, having been posted as prescribed by Article 6252-17, Section 3A, V.A.T.C.S., with the following members present and in attendance, to wit:

ROY BUTLER

MAYOR

DR. S. H. "BUD" DRYDEN)
DICK NICHOLS)
DAN LOVE)
LOWELL H. LEBERMANN)
JEFFREY M. FRIEDMAN)
BERL L. HANDCOX)

COUNCILMEN

and with the following absent: None
constituting a quorum; at which time the following among other business was transacted:

The Mayor presented for the City Council's consideration an ordinance authorizing the issuance of \$6,600,000 "CITY OF AUSTIN, TEXAS, GENERAL OBLIGATION BONDS, SERIES 1971 (NO. 252)," dated June 1, 1971, the caption of said ordinance being as follows:

"AN ORDINANCE by the City Council of the City of Austin, Texas, authorizing the issuance of \$6,600,000 'CITY OF AUSTIN, TEXAS, GENERAL OBLIGATION BONDS, SERIES 1971, for the purpose of providing funds for permanent public improvements, to wit: \$90,000 for constructing, equipping and improving fire stations in and for the City of Austin and acquiring necessary lands therefor; \$300,000 for constructing and improving public parks and public playgrounds of the City of Austin and for constructing, improving and repairing buildings and other recreation facilities of said parks and playgrounds and for acquiring necessary lands and equipment therefor; \$500,000 for constructing, equipping, improving and repairing Hospital buildings of the City of Austin; \$4,400,000 for constructing and improving streets, including bridges and drainage incidental thereto in and for said City of Austin and for acquiring necessary lands therefor; \$60,000 for constructing, enlarging, improving and equipping the Police and Courts Building in and for the City of Austin; and \$1,250,000 for improving and equipping the existing Municipal Airport, including buildings and other facilities incidental to the operation thereof and

acquiring necessary lands therefor; prescribing the form of the bonds and the form of the interest coupons; levying a continuing direct annual ad valorem tax on all taxable property within the limits of said City to pay the interest on said bonds and to create a sinking fund for the redemption thereof, and providing for the assessment and collection of such taxes; enacting provisions incident and relating to the purpose and subject of this ordinance; and declaring an emergency."

The ordinance was read and Councilman Dryden moved that the rule be suspended which requires that no ordinance shall become effective until the expiration of ten days following the date of its final passage, that such ordinance be finally passed and adopted at this meeting, and that, for the reasons recited therein, said ordinance be passed as an emergency measure for the immediate preservation of the public peace, health, and safety of the citizens of Austin as permitted by the City Charter. The motion was seconded by Councilman Love and carried by the following vote:

AYES: Mayor Butler and Councilmen Dryden, Nichols, Love, Lebermann, Friedman and Handcox.

NOES: None.

The ordinance was read the second time and Councilman Dryden moved that the rules be further suspended and that the ordinance be passed as an emergency measure to its third reading. The motion was seconded by Councilman Love and Carried by the following vote:

AYES: Mayor Butler and Councilmen Dryden, Nichols, Love, Lebermann, Friedman and Handcox.

NOES: None

The ordinance was read the third time and Councilman Dryden moved that the ordinance be finally passed as an emergency measure. The motion was seconded by Councilman Love and carried by the following vote:

AYES: Mayor Butler and Councilmen Dryden, Nichols, Love, Lebermann, Friedman and Handcox.

NOES: None.

The Mayor then announced that the ordinance had been finally passed and adopted.

MINUTES APPROVED, this the 20th day of May, 1971.

ADOPTION OF ROBERT'S RULES OF ORDER

Mayor Butler introduced the following ordinance:

AN ORDINANCE ESTABLISHING RULES OF ORDER TO BE FOLLOWED DURING THE MEETINGS OF THE AUSTIN CITY COUNCIL; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Nichols moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,
Mayor Butler
Noes: None

The ordinance was read the second time and Councilman Nichols moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,
Mayor Butler
Noes: None

The ordinance was read the third time and Councilman Nichols moved that the ordinance be finally passed. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,
Mayor Butler
Noes: None

The Mayor announced that the ordinance had been finally passed.

PUBLIC HEARING TO CONSIDER ANNEXATION
OF 40 ACRES - PROPOSED CRYSTALBROOK
SECTION 1, PORTIONS OF DECKER LAKE ROAD,
ED BLUESTEIN BOULEVARD AND OTHER UNPLATTED LAND

The Director of Public Works, Mr. Reuben Rountree, located the area on the map as south of the school site, which will be annexed upon the school's requests. Concerning annexation, Councilman Lebermann suggested if the Council should determine a policy, it would help him a great deal. Councilman Nichols stated, generally speaking, when annexation was requested, the Council usually granted the request. He suggested that this annexation be acted upon as it fell under the policy in the past. The Council members discussed this particular annexation thoroughly. Councilman Handcox moved the Council delay decision on this item until next week for clarification. The motion, seconded by Councilman Love, carried by the following vote:

Ayes: Councilmen Dryden, Love, Lebermann, Friedman, Handcox,
Mayor Butler
Noes: Councilman Nichols

HIGH SCHOOL CLASS RECOGNIZED

Mayor Butler recognized the 11th grade English class at Johnston High School, and the group was welcomed to the Council Chamber.

ZONING ORDINANCES

Mayor Butler introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS: (1) LOT 12, BANNISTER ACRES, LOCALLY KNOWN AS 4317-4319 GILLIS STREET FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL FIRST HEIGHT AND AREA DISTRICT; (2) A 7.4 ACRE TRACT OF LAND, LOCALLY KNOWN AS 914-994 BEN WHITE BOULEVARD FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, SECOND HEIGHT AND AREA DISTRICT; (3) LOT 1, LOT 2 AND WEST 158.26 FEET OF LOT 3, MARY B. HARPER ADDITION, LOCALLY KNOWN AS 2209-2211 BLUE BONNET LANE AND REAR OF 2209-2211 BLUE BONNET LANE, FROM "A" RESIDENCE FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT; (4) LOTS 1 AND 2, R. E. AUSTIN SUBDIVISION, LOCALLY KNOWN AS 830-836 U. S. HWY. 183, FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, SECOND HEIGHT AND AREA DISTRICT; (5) 8.95 SQUARE FEET OF LAND OUT OF AND A PART OF LOT 1, VINTAGE HILLS STREET DEDICATION SUBDIVISION, LOCALLY KNOWN AS 7302-7304 DUBUQUE LANE AND 7500-7516 ED BLUESTEIN BOULEVARD, FROM "O" OFFICE FIRST HEIGHT AND AREA DISTRICT TO "LR" LOCAL RETAIL, FIRST HEIGHT AND AREA DISTRICT; (6) A 16,146 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 1010 EAST 39TH STREET, FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT; (7) A 3.68 ACRE TRACT OF LAND, LOCALLY KNOWN AS 8900 RESEARCH BOULEVARD, FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT; ALL OF SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Nichols moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Friedman, carried by the following vote:

- Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox, Mayor Butler
- Noes: None

The ordinance was read the second time and Councilman Nichols moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Friedman, carried by the following vote:

- Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox, Mayor Butler
- Noes: None

The ordinance was read the third time and Councilman Nichols moved that the ordinance be finally passed. The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,
Mayor Butler
Noes: None

The Mayor announced that the ordinance had been finally passed.

APPROPRIATIONS FROM GENERAL AND
UTILITY FUNDS - INSURANCE

The City Manager, Mr. Andrews, stated these appropriations were to be applied to the hospitalization and life insurance premiums that the City carried on employees in the General Fund and Utilities Fund.

Councilman Dryden asked that the discussion and the Minutes include his recommendation that before this type of premium would be due in October that bids or communications with other insurance companies be negotiated for this type of coverage on a competitive basis. Councilman Nichols concurred.

Mayor Butler introduced the following ordinance:

AN ORDINANCE AMENDING THE BUDGET ORDINANCE FOR THE 1970-71 FISCAL YEAR BY INCREASING THE BUDGETS FOR VARIOUS CITY DEPARTMENTS; APPROPRIATING CERTAIN SUMS IN ACCORDANCE WITH SUCH AMENDMENTS; AND DECLARING AN EMERGENCY. (40,640 - General Fund; \$13,174 - Utility Fund)

The ordinance was read the first time and Councilman Nichols moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,
Mayor Butler
Noes: None

The ordinance was read the second time and Councilman Nichols moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,
Mayor Butler
Noes: None

The ordinance was read the third time and Councilman Nichols moved that the ordinance be finally passed. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,
Mayor Butler
Noes: None

The Mayor announced that the ordinance had been finally passed.

DISTRIBUTION OF FUNDS TO VARIOUS DEPARTMENTS -
RETIREMENT SYSTEM

The Council had before it an ordinance assigning funds to the various departments of the City of Austin in amounts necessary to pay the City's obligation for the increased transfers to the Retirement System as approved by the City Council. The City Manager explained the transaction.

Mayor Butler introduced the following ordinance:

AN ORDINANCE AMENDING THE BUDGET ORDINANCE FOR THE 1970-71 FISCAL YEAR BY TRANSFERRING APPROPRIATED BUT UNASSIGNED FUNDS IN THE GENERAL FUND AND UTILITY FUND TO VARIOUS DEPARTMENTS FOR THE EMPLOYEES' RETIREMENT PLAN; AND DECLARING AN EMERGENCY. (\$456,389 - from special appropriations in the General Fund; \$147,419 - from special appropriation in the Utility Fund)

The ordinance was read the first time and Councilman Nichols moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,
Mayor Butler

Noes: None

The ordinance was read the second time and Councilman Nichols moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,
Mayor Butler

Noes: None

The ordinance was read the third time and Councilman Nichols moved that the ordinance be finally passed. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,
Mayor Butler

Noes: None

The Mayor announced that the ordinance had been finally passed.

RECOGNITION

Councilman Lebermann introduced his wife, Louise, and his little daughter, Virginia. Councilman Love introduced his wife, Peggy. The Council greeted and welcomed these visitors.

ALLEY VACATED

Mayor Butler introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING FOR PUBLIC USE THAT CERTAIN PORTION OF BRODIE STREET ALLEY IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; RETAINING AN EASEMENT IN THE CITY FOR DRAINAGE PURPOSES; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (Alley traversing Block X, Bouldin Addition from South 7th Street westerly to the Railroad right of way)

The ordinance was read the first time and Councilman Nichols moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Love, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,
Mayor Butler

Noes: None

The ordinance was read the second time and Councilman Nichols moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Love, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,
Mayor Butler

Noes: None

The ordinance was read the third time and Councilman Nichols moved that the ordinance be finally passed. The motion, seconded by Councilman Love, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,
Mayor Butler

Noes: None

The Mayor announced that the ordinance had been finally passed.

ANNEXATION ORDINANCE - 1ST and 2ND READINGS

Mayor Butler introduced the following ordinance:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 7.08 ACRES OF LAND OUT OF THE HENRY P. HILL LEAGUE AND 19 ACRES OF LAND, MORE OR LESS, OUT OF THE JOHN APPELGAT SURVEY; ALL BEING LOCATED IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE. (Portion Austin Independent School District tract of land; North Lamar Park Annex, Austin Independent School District tracts of land, Portions of Lamar Blvd, W. Rundberg Lane & Glen Lane)

The ordinance was read the first time and Councilman Nichols moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,
Mayor Butler
Noes: None

The ordinance was read the second time and Councilman Nichols moved the ordinance be passed to its third reading. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,
Mayor Butler
Noes: None

REQUEST FOR LEGALIZATION OF RAW MILK

MR. ROBERT N. WRIGHT asked not for a vote at this time on the legalization of raw milk but to be given an opportunity to have an extended hearing where his group could document what they want to say about raw milk. Raw milk had been sold for years in Austin by Kash-Karry, and no contamination or diseases had ever been detected in the raw milk. These sales were inspected more rigidly than the commercial type dairy. Mr. Andrews, City Manager, reported that raw milk had been sold in Austin for many years. Recently the last dairy selling this milk in Austin went out of business; and at that time, the City Health Director recommended to the Council that an ordinance be passed prohibiting the sale of raw milk. Mr. Wright said the group was trying to locate a grocer outside of the City limits to obtain raw milk, but this came under County jurisdiction. He said he was not the chief speaker on this item, but he just brought in the petition asking for a hearing. Mayor Butler suggested that Mr. Wright gather his material to present to the Council, and have anyone he would like to speak on the subject come before the Council. Mr. Wright suggested that he prepare the information and supply it to the Council members. Mayor Butler stated it would be up to him as to how he would like to present the subject.

Later in the meeting MRS. CHARLES HUNTLEY, interested in the sale of raw milk expressed great concern, stating she had heard of no illnesses traceable to State Certified raw milk sold in Austin. She filed a booklet, "MILK, A SPECIAL FLUID". It was suggested to Mrs. Hungley also, that the people get together, bring in their information, and asked to be placed on the agenda.

PARADE PERMIT

Councilman Love moved the Council grant the request of the AMERICAN LEGION for a parade permit to convey Boys State delegates from the University of Texas Campus to the State Capitol for official visits, along North Congress from 19th Street to the Capitol, from 9:00 to 9:30 A.M. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,
Mayor Butler
Noes: None

ZONINGS WITHDRAWN

Councilman Loved the Council approve the request by John B. Selman, Attorney, to withdraw the following zoning cases scheduled to be heard by the City Council on June 3, 1971:

C14-71-108 - Doyle Chapman

C14-71-109 - C. K. Jamison

The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox,
Mayor Butler

Noes: None

Absent at this time: Councilman Friedman

CREATION OF A TAX COMMISSION

Councilman Love suggested that as soon as possible, the members of this Council submit approximately five names each, of various citizens in this community for form a new commission, a Tax Commission, to completely re-analyze the evaluation structure of the City of Austin. Mayor Butler wanted to encourage anyone who has a suggestion in mind of anyone who was qualified to serve on such a commission to send the name either to him or one of the Councilman.

CHARTER STUDY COMMITTEE

Councilman Nichols stated the Council should consider a Charter Study Committee -- not that he thought the present Charter was not good, but that an amendment is imminent, and this Council should do a little study on this matter.

INFORMATION DISSEMINATION POLICY

Councilman Nichols read and filed with each Council member, copies of a proposed policy on dissemination of information to every citizen as follows:

"The business of the City of Austin is the business of its citizens. Every citizen has a right to know about every operation, transaction, negotiation and plan of the officers, administrators and employees of the city.

It is not only his right to know, but in fact there is a need for citizens to know about their city. Only with citizens who know, understand and care about the city's business can we progress.

Officers and administrators of the city will in no way intimidate, stop, or attempt to suppress any other officer, administrator or employee from speaking freely and publicly about the business of the city.

It is to be realized that growth and progress are not achieved without problems. Disappointments, differences of opinion, and health questioning of municipal policy must be shared with the citizens of this city.

The price of public service is great, but it will be paid by men of integrity and intelligence.

Any citizen who approaches any officer, administrator or employee of the city must realize that any plan, program or matter of business is, from its very start, the public's business.

Finally, the burden of how wisely the right to freedom of information is used rests not with the officers, administrators and employees of the city, but with the citizens themselves."

Councilman Nichols discussed further his policy, stating it is the right of any citizen or member of the press to ask any employee for information. Councilman Love interpreted the policy as saying that any employee was in a position to make a statement if he were dealing with facts and not dealing with speculation. The City Manager saw no problem with the statement as long as facts were concerned, and as long as there was no legal barrier to some information. Mr. Woodrow Sledge pointed out an exception, in that the engineering and planning services frequently have to do with private citizens' plans on private properties which are not ready for publication. Councilman Nichols stated privileged information was not considered a part of this. Mayor Butler said any statement of this nature would be with intelligent people and there is a certain amount of judgement that would have to be exercised.

Councilman Nichols moved the Council adopt the policy as read. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,
Mayor Butler
Noes: None

TOWN LAKE TRACT - PROPOSED SCHOOL SITE

Mayor Butler recognized Mr. Will Davis, member of the Austin Independent School Board, which was involved in the Lake tract in which the School District was interested, who stated this matter was not on the agenda for discussion today. The Mayor said the School System's current situation in the Courts did necessitate some assurance that the Town Lake site would be available to the system before June 14th. Mr. Davis stated this site was important as there is no other available land in the neighborhood. Part of the plan presented to the Court was the re-zoning of high school boundary lines, including the re-zoning of the Austin High School site and changing the location from 12th and Rio Grande to the south crossing the River and eastward to include part of the area of Anderson High. Councilman Nichols suggested that the Council receive a report from the City Manager in Executive Session. Councilman Lebermann asked that the Council review the contract between the Schools and the City. Councilman Love agreed that the City Manager and Mr. Woodrow Sledge should get together again, and get back with the two groups, and then the Council could go into Executive Session and make a decision. Mayor Butler concluded then that the City Manager would report back to the Council; and in private the Council would discuss the matter and proceed from there.

INTRODUCTION OF STAFF

The City Manager, Mr. Andrews, introduced to the Council, MR. LEON LURIE, Executive Director of Urban Renewal; MR. W. T. WILLIAMS, III, Deputy Director of Urban Renewal; and DR. JOHN SESSUMS, JR., Director of the Austin-Travis County Health Department.

ADJOURNMENT

Councilman Friedman moved the Council adjourn. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox, Mayor Butler
Noes: None

APPROVED

Ray Butler

Mayor

ATTEST:

Elise Kersley

City Clerk